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Dated: August 19, 2005

Signature: 

(Matthias Abrell)

Attorney Docket No.: 30810/39676A
(PATENT)

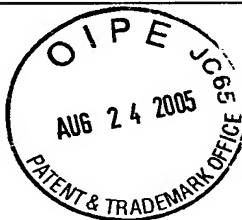
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael J. Brookman

Application No.: 10/675,135

Filed: September 29, 2003

For: Powered Air Purifying Respirator System and
Breathing Apparatus



Art Unit: 3761

Examiner: Aaron J. Lewis

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, the information identified on the enclosed Form PTO/SB/08 is disclosed to the Examiner for consideration in connection with the above identified patent application. Copies of the documents listed on the Form PTO/SB/08 are enclosed herewith.

Certification under 37 C.F.R. § 1.97(c)(e)(2)

The undersigned hereby certifies that no item of information provided herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three month prior to the filing of the information disclosure statement.


In particular, one or more third parties brought this information to the attention of applicant's attorneys on August 16, 2005. According to the information supplied to applicant's attorneys, these documents purportedly evidence an offer for sale by Wilcox

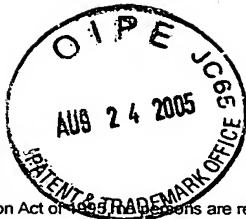
Industries Corp. of its SCOUT breathing system to the U.S. Navy, dated August 23, 2003. Specifically, the documents include a copy of a purported Wilcox's Invoice No. 2328-0104-00 and the packing list therefore, showing that 45 units were delivered to the Navy on December 31, 2002, and a copy of a purported Wilcox 2002 SCOUT brochure. The SCOUT system purports to be a breathing system that is switchable between self-contained breathing apparatus (SCBA) and powered air purifying respirator (PAPR) modes of operation.

Applicant has no knowledge of and is not attesting to the accuracy of the information provided in the documents, including the dates, the description of the Scout System, the validity of the part numbers, whether any actual sale or offer for sale was made etc. In addition, applicant has no first hand knowledge that any of the letters provided herein were offers for sale, or that the invoiced items were in fact shipped. Applicant notes, however, that these documents are all dated less than one year prior to the earliest priority date of the application.

This Supplemental Information Disclosure Statement is being submitted after a Notice of Allowance was mailed but before payment of the issue fee, and is accompanied by a certification under 37 C.F.R. § 1.97(c)(e)(2). A check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is also enclosed herewith. As a result, this information should be considered by the Patent Office. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 30810/39676A. A duplicate copy of this paper is enclosed.

Dated: August 19, 2005

Respectfully submitted,
By 
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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/675,135 |
| | | | | Filing Date | September 29, 2003 |
| | | | | First Named Inventor | Michael J. Brookman |
| | | | | Art Unit | 3761 |
| | | | | Examiner Name | Aaron J. Lewis |
| Sheet | 1 | of | 1 | Attorney Docket Number | 30810/39676A |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | A copy of a Fax purportedly sent to the U.S. Naval Inventory Control Point, Dave Duval, from Wilcox Industries Corp., Robert F. Guarasi, dated August 23, 2002, 9 pages. | |
| | | A copy of SCOUT System (Self Contained Operational Utility Tank) brochure, Order Number 20000G01, Wilcox Industries Corp., 2002, 2 pages. | |
| | | A copy of Wilcox Industries Corp. Invoice No. 2328-0104-00, dated December 31, 2002, 2 pages. | |
| | | A copy of a Milestone Schedule, SCOUT Production, dated Thursday, August 15, 2002, 1 page. | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | | Date Considered | |
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